

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

RETRACTABLE
TECHNOLOGIES, INC., et al.,

Plaintiffs,

v.

BECTON, DICKINSON AND CO.,

Defendant.

§
§
§
§
§
§
§
§

Case No. 2:08-CV-16-LED-RSP

ORDER

Before the Court is Becton, Dickinson and Company's Motion for Partial Summary Judgment on Plaintiffs' Product Disparagement Claim (Count 4) (Dkt. No. 170, filed January 11, 2012). On March 14, 2013, the Magistrate Judge filed a Report and Recommendation, which recommends denying BD's motion. (Dkt. No. 368.) BD filed its Objections on March 25, 2013 (Dkt. No. 378), to which Plaintiff responded on April 11, 2013 (Dkt. 393) and BD replied on April 22, 2013 (Dkt. 409).

The Court has reviewed the objections raised by BD and finds them to be without merit, as they raise no issues not already addressed in the R&R. Accordingly,

The Court hereby **ADOPTS** the Magistrate Judge's Report and Recommendation. BD's Amended Motion for Partial Summary Judgment On Its Affirmative Defenses of Res Judicata and Release (Dkt. No. 178) is **DENIED** for the reasons stated therein.

So ORDERED and SIGNED this 19th day of August, 2013.



**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**